

Saint Lawrence Seaway Development Corp., DoT
\$ 402.10

Item	Description of chargers	Rate (\$) Montreal to or from Lake Ontario (5 locks)	Rate (\$) Welland Canal—Lake Ontario to or from Lake Erie (8 locks)
	Column 1	Column 2	Column 3
	(4) a charge per lock for transit of the Welland Canal in either direction by cargo ships:		
	(a) loaded	N/A	500.61.
	(b) in ballast	N/A	369.87.
2.	Subject to item 3, for partial transit of the Seaway	20 per cent lock of the applicable charge under items 1 (1) and (2) plus the applicable charge under items 1 (3) and (4).	13 per cent per lock of the applicable charge under items 1 (1) and (2) plus the applicable charge under items 1 (3) and (4).
3.	Minimum charge per ship per lock transited for full or partial transit of the Seaway.	16.77	16.77.
4.	A rebate applicable for the 2004 navigation season to the rates of item 1 to 3.	Rebate of 0%	Rebate of 0%.
5.	A charge per pleasure craft per lock transited for full or partial transit of the Seaway, including applicable federal taxes ¹ .	20.00	20.00.

¹ The applicable charge at the Saint Lawrence Seaway Development Corporation's locks (Eisenhower, Snell) for pleasure craft is \$20 U.S. or \$30 Canadian per lock. The applicable charge under item 3 at the Saint Lawrence Seaway Development Corporation's locks (Eisenhower, Snell) will be collected in U.S. dollars. The other amounts are in Canadian dollars and are for the Canadian share of tolls. The collection of the U.S. portion of tolls for commercial vessels is waived by law (33 U.S.C. 988a(a)).

[69 FR 18812, Apr. 9, 2004]

§ 402.9 Operational surcharges—no postponements.

Item	Column 1 Place in Montreal-Lake Ontario section	Column 2 Period after clearance date	Column 3 Amount (\$) (5 locks) ¹
(a)	Cape Vincent (downbound) or Cap Saint-Michel (upbound).	(a) 24 hours	20,000
		(b) 24 hours or more but less than 48 hours	40,000
		(c) 48 hours or more but less than 72 hours	60,000
		(d) 72 hours or more but less than 96 hours	80,000
(b)	Port, dock or wharf within St. Lambert—Iroquois lock segment.	(a) 24 hours	n/a
		(b) 24 hours or more but less than 48 hours	20,000
		(c) 48 hours or more but less than 72 hours	40,000
		(d) 72 hours or more but less than 96 hours	60,000

¹Prorated on a per-lock basis.

§ 402.10 Operational surcharge after postponements.

Item	Column 1 Place in Montreal-Lake Ontario	Column 2 Period after clearance date	Column 3 Amount (\$) (5 locks) ¹
(a)	Cape Vincent (downbound) or Cape Saint-Michel (upbound):		
	(1) If the postponement is for 24 hours	(a) 24 hours or more but less than 36 hours	20,000
		(b) 36 hours or more but less than 48 hours	40,000
		(c) 48 hours or more but less than 72 hours	60,000
		(d) 72 hours or more but less than 96 hours	80,000
	(2) If the postponement is for 48 hours	(a) 48 hours or more but less than 56 hours	20,000
		(b) 56 hours or more but less than 64 hours	40,000
		(c) 64 hours or more but less than 72 hours	60,000
		(d) 72 hours or more but less than 96 hours	80,000
	(3) If the postponement is for 72 hours	(a) 72 hours or more but less than 78 hours	20,000
		(b) 78 hours or more but less than 84 hours	40,000
		(c) 84 hours or more but less than 90 hours	60,000
		(d) 90 hours or more but less than 96 hours	80,000
(b)	Port, dock or wharf within St. Lambert—Iroquois lock segment:		
	(1) If the postponement is for 24 hours	(a) 24 hours or more but less than 48 hours	n/a
		(b) 48 hours or more but less than 60 hours	20,000
		(c) 60 hours or more but less than 72 hours	40,000

§ 403.5

complaints with the Board at either address.

(d) One copy of each application received shall be held and be available for public inspection at the offices of the Board in Ottawa, Ontario, and Massena, N.Y.

(e) The Board shall publish notice of the receipt of applications in the “Canada Gazette” and the FEDERAL REGISTER.

(f) Interested parties shall have thirty days from date of publication of notice in which to make representations or to submit briefs to the Board. [Rule 4]

(68 Stat. 92-97, 33 U.S.C. 981-990, as amended; Agreement between the Governments of the United States and Canada finalized on March 20, 1978)

[24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959, as amended at 43 FR 30539, July 17, 1978. Redesignated at 47 FR 13805, Apr. 1, 1982]

§ 403.5 Meetings and functions of Board. [Rule 5]

(a) The Board shall meet at such time and place as the Chairman may decide.

(b) The Board may schedule hearings at such time and place as the Chairman may decide.

(c) If hearings are scheduled the Board shall so notify applicants on record by mail, and may cause notice of the time and place of hearings to be published in the “Canada Gazette” and the FEDERAL REGISTER.

(d) Three members of the Board, one of whom shall be the Chairman, shall constitute a quorum.

(e) The Chairman shall have the right to vote at meetings of the Board and in case of equal division shall also have a casting vote.

(f) The Chairman shall cause to be kept minutes of meetings and a record of proceedings at hearings. [Rule 5]

[24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959. Redesignated at 47 FR 13805, Apr. 1, 1982]

33 CFR Ch. IV (7-1-04 Edition)

§ 403.6 Additional information. [Rule 6]

The Board may require further information, particulars or documents from any party. [Rule 6]

[24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959. Redesignated at 47 FR 13805, Apr. 1, 1982]

§ 403.7 Action on applications; notices of requirements. [Rule 7]

The Board may at any time require the whole or any part of an application, answers or reply to be verified by affidavit, by giving a notice to that effect to the party from whom the affidavit is required. If the notice is not complied with, the Board may set aside the application, answer or reply or strike out any part not verified according to the notice. [Rule 7]

[24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959. Redesignated at 47 FR 13805, Apr. 1, 1982]

§ 403.8 Proceedings; stay or adjournment. [Rule 8]

The Board may stay proceedings or any part of the proceedings as it thinks fit or may from time to time adjourn any proceedings before it. [Rule 8]

[24 FR 9307, Nov. 18, 1959; 24 FR 10445, Dec. 23, 1959. Redesignated at 47 FR 13805, Apr. 1, 1982]

§ 403.9 Prehearings. [Rule 9]

The Board may direct, orally or in writing, parties or their representatives to appear before the Board or a member of the Board at a specified time and place for a conference prior to or during the course of a hearing or, in lieu of personally appearing, to submit suggestions in writing, for the purpose of formulating issues and considering:

(a) The simplification of issues;

(b) The procedure at the hearing;

(c) The necessity or desirability of amending the application, answer or reply for the purpose of clarification, amplification or limitation;

(d) The mutual exchange among the parties of documents and exhibits proposed to be submitted at the hearing; and